

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

GRADY O. HUMPHREYS, et al.,)
Plaintiffs,)
v.)
ASBESTOS DEFENDANTS:)
A.O. SMITH ELECTRICAL PRODUCTS)
COMPANY, a division of A.O. SMITH)
CORPORATION, et al.)
Defendants.)
Civil Action No.
2:07-CV607-WKW

NOTICE OF TAG-ALONG ACTION

COMES NOW Defendant, BUFFALO PUMPS, INC., and hereby submits this, its Notice of Tag-Along Action, and shows the Court as follows:

PLEASE TAKE NOTICE THAT on July 29, 1991, the Judicial Panel on Multidistrict Litigation entered an order transferring all asbestos cases pending in federal court to the United States District Court, Eastern District of Pennsylvania, for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407 (“MDL Transfer Order”). That order also applies to “tag-along actions,” or actions involving common questions of fact filed after the January 17, 1991 filing of the Panel’s order to Show Cause. MDL Rule 7.5(e) provides:

Any party or counsel in actions previously transferred under Section 1407 or under consideration by the Panel for transfer under Section 1407 shall notify the Clerk of the Panel of any potential “tag-along actions” in which that party is also named or in which that counsel appears.

The undersigned hereby notifies the Court that this case is a potential “tag-along action” which may be subject to transfer to the Eastern District of Pennsylvania. The Clerk of the Panel may either: (1) enter a conditional transfer order pursuant to MDL Rule 7.4(a), or (2) file

an order to show cause why the action should not be transferred, pursuant to MDL Rules 7.5(b) and 7.3.

s/Edward B. McDonough, Jr.
Edward B. McDonough, Jr. (MCDOE0149)
Broox G. Holmes, Jr. (HOLMB7379)
Attorneys for Defendant,
BUFFALO PUMPS, INC.

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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of August, 2007, the foregoing, together with copies of the docket sheet and complaint, has been sent via overnight mail to:

Clerk of the Panel
Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, N.E., Room G-255, North Lobby
Washington, D.C. 20002-8004

I further certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record in this case.

s/Edward B. McDonough, Jr.
Edward B. McDonough, Jr.